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Horst M. Kasper 13 Forest Drive Warren, NJ 07059			EXAMINER	
			PIERCE, DAMON JOSEPH	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/734,976	<b>Applicant(s)</b> GAUSELMANN, MICHAEL
	<b>Examiner</b> DAMON PIERCE	<b>Art Unit</b> 3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED. (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 11/1/07; 5/9/08; and 7/10/09.  
 2a) This action is FINAL.      2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 38-53 and 84-98 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 38-53 and 84-98 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 15 December 2003 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                        | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Election/Restrictions***

1. Applicant's election with traverse of Invention II and Species 2B in the reply filed on 7/10/09 is acknowledged. The traversal is on the ground(s) that (1) Inventions set forth in the Office Action do not have an acquired separate status in the art and they are closely related; and (2) Claims pending are so related that the search material is essentially a common search material relating to all pending claims. This is not found persuasive because (1) Inventions set forth in the restriction requirement does have a separate status in the art by example of the different classifications/subclasses of each invention which causes a serious burden on the examiner; and (2) Again, different classifications/subclasses are required within the search which would cause a serious burden on the examiner.

The requirement is still deemed proper and is therefore made FINAL.

***Response to Amendment***

2. The examiner acknowledges the amendments of claims filed on 11/1/07 and 5/9/08. Currently, due to restriction election claims 38-53 and 84-98 are pending.

***Drawings***

3. The drawings are objected to under 37 CFR 1.83(a) because they fail to show elements "36" and "47" in Fig. 6 as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown

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in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "68" of Figs. 7 and 8 has been used to designate both "collecting the individual results" and "sending individual results". Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of

an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Specification***

5. The disclosure is objected to because of the following informalities:
  - pg. 14, 2<sup>nd</sup> parg. recites "video screen 8", however, the figs. does not support this recitation
  - pg. 30, 1<sup>st</sup> parg. recites "block 58" where it seems it should be --block 68--.  
Appropriate correction is required.
6. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required:
  - Claim 38 includes the recitation "effectively limiting a number of game rounds being played", which lacks antecedent basis in the original specification

***Claim Objections***

7. Claims 43, 84, 88, and 97 objected to because of the following informalities:
  - claim 43, seem to have a misspelling of word 'braching" where it seems it should be --branching--

- claims 84, 88, and 97 seems to have typos with the “.” symbol within claim language
- claim 85 seems to have a grammatical error with the recitation “activating the entertainment automat (1) is activated”.

Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

8. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

9. Claims 38-39, 94 and 97 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claim 38 includes the recitation “employing a first entertainment automat; employing a second entertainment automat; effectively limiting a number of game rounds being played; changing sequentially symbol cards for new random symbol cards in the course of a sequence of game rounds”, which is not supported by the original specification and thus is new matter.

Claim 39 includes the recitation “managing a jackpot in the entertainment automat performing the master function; filling the jackpot depending on the games

performed in the entertainment automats; determining if the filling level of the jackpot has reached a predetermined level", which is not supported by the original specification and thus is new matter.

Claims 94 and 97, includes the recitation "non-appearing of a recognition signal since at this point in time no entertainment automat has yet assumed the master functions", which is not supported by the original specification and thus is new matter.

10. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

11. Claims 40-53, 84-93, and 95-98 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 40-53, 84-93, and 95-98, includes the limitations "operational block", "branching block", "actualize intermediate state", "returning process", "performing a return from an operational block" "operational element", and "entry block", and in addition, ask questions within the claims, where the context used within the claims the meaning of these limitations are unclear and ambiguous; for example, (emphasis added) claim 40 includes the recitation "inserting payment in an operational block "Insert payment" (36), activating a game time in an operational block "Activating the game time" (37); randomly drawing all cards in an operational block "Randomly drawing all cards" (38); determining if a game time has ended in a branching block "Game time

ended ?" (39)"; and in claim 52 the recitation "returning process to inserting payment in the operational block "Base game with payment insertion" (50)".

In addition, claim 86 includes the recitation "displaying five next to each other disposed card symbols with the symbol display device (2) in case of actuation of an operational element according to entry block "Hand out key" (41), wherein the symbol storage comprises 20 card symbols, namely ten, Jack, Queen, King, and ace in each case in all four colors" is unclear and ambiguous. As best understood, cards can be replaced with new cards from four suits of cards.

### ***Double Patenting***

12. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

13. **Claims 38-53 and 84-98 are provisionally rejected on the ground of nonstatutory double patenting over claims 1-68 of copending Application No. 09/491,779.** This is a provisional double patenting rejection since the conflicting claims have not yet been patented.

The subject matter claimed in the instant application is fully disclosed in the referenced copending application and would be covered by any patent granted on that copending application since the referenced copending application and the instant application are claiming common subject matter, as follows: Claims 38-53 and 84-98 of the instant application are identical to those of claims 1-68 of Application No. 09/491,779. Thus, the two sets of claims do not constitute patentably distinguishable subject matter.

Furthermore, there is no apparent reason why applicant would be prevented from presenting claims corresponding to those of the instant application in the other copending application. See *In re Schneller*, 397 F.2d 350, 158 USPQ 210 (CCPA 1968). See also MPEP § 804.

#### ***Claim Rejections - 35 USC § 103***

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
  2. Ascertaining the differences between the prior art and the claims at issue.
  3. Resolving the level of ordinary skill in the pertinent art.
  4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
15. **Claims 38-53 and 84-98 are rejected under 35 U.S.C. 103(a) as being obvious over Gauselmann (WO 97/49073) in view of Walker et al. (US 6,248,016 B1).** For purposes of this action, Examiner will use the patent (USPN 6,089,980), which is a translation of the PCT publication. All citations will be made with reference to locations in the US Patent.

Regarding independent claim 38, the claimed invention of the instant application as best understood is an invention that describes a method of running a plurality of gaming machines in a network connection with each other and allowing a game of draw poker.

Regarding claims 38, Gauselmann teaches a **method of running a plurality of entertainment automats** (see Fig. 1) comprising  
**employing a first entertainment automat** (Fig. 1, 2b);  
**employing a second entertainment automat** (Fig. 1, 2c);

**networking a second entertainment automat to the first entertainment automat** (see Fig. 1, 1, 2a-d, 4, which discloses the automats connected in a network);  
**determining which entertainment automat from the first entertainment automat and the second entertainment automat assumes a master function within the network** (col. 7, lines 13-18, discloses a gaming machine having a master function);  
**determining which entertainment automat from the first entertainment automat and the second entertainment automat assumes assumes a slave function within the network** (col. 7, lines 13-18, discloses gaming machines acting as slaves in a network);

Walker discloses effectively limiting a number of game rounds being played (as best understood, see abstract, where the draw poker game has a limited amount of rounds per game); changing sequentially symbol cards for new random symbol cards in the course of a sequence of game rounds (see abstract, where the draw poker game randomly changes and replaces cards). Gaming machines that allow poker game play is well known in the gaming art. Thus, the network of gaming machines of Gauselmann would have motivation to use video poker games of Walker in order to attract players that enjoy playing poker.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the gaming machine network of Gauselmann with the poker gaming machines of Walker in order to allow players to play poker in a network.

39, Gauselmann teaches the method of running a plurality of entertainment automats according to claim 38 further comprising  
collecting data relating to the games performed at the entertainment automat in the entertainment automat performing the master function (see col. 4, lines 64-col. 5, line 5);  
managing a jackpot in the entertainment automat performing the master function (see col. 3, 59-67-col. 4, 1-10);  
filling the jackpot depending on the games performed in the entertainment automats (see col. 3, 59-67-col. 4, 1-10);  
determining if the filling level of the jackpot has reached a predetermined level (see col. 3, 59-67-col. 4, 1-10);  
initiating a supplemental game in all running entertainment automats simultaneously upon the jackpot having reached the predetermined level (see abstract); and  
switching simultaneously the coin actuated entertainment automats disposed in the network into a common supplemental game when a predetermined value of a common jackpot is surpassed (see abstract).

40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, Gauselmann teaches the method of running a plurality of entertainment automats according to claim 38 further comprising

inserting payment in an operational block "Insert payment" (36) into one of the entertainment automats for obtaining an active entertainment automat (abstract, discloses coin-operated gambling machines, which as best understood, a payment of a coin is required in order to active a gambling machine);

activating a game time in an operational block "Activating the game time" (37) of the active entertainment automat (abstract, discloses coin-operated gambling machines, which as best understood, once a payment of a coin is placed in a gambling machine game play/time is allowed);

waiting for another insertion of payment (abstract, discloses coin-operated gambling machines, which as best understood, a payment of a coin is required in order to active a gambling machine).

Walker discloses randomly drawing all cards in an operational block "Randomly drawing all cards" (38) of the active entertainment automat (see abstract, and col. 1, 15-25, discloses a draw poker with initial cards randomly chosen);

determining if a special symbol combination in a branching block "Special symbol combination or jackpot winning value reached ?" (49) has been reached (Figs. 1 and 3, discloses final hand combinations, which as best understood, a special symbol combination is a winning poker hand such as a Royal Flush, straight, and the like);

returning process to inserting payment in the operational block "Insert payment" (36) if it is determined that no special symbol combination in the branching block "Special symbol combination or jackpot winning value reached ?" (49) has been reached (Fig. 5, 505, and 510, discloses receiving a payment from a player);

activating a game time in an operational block "Activating the game time" (37) of the active entertainment automat if it is determined that a special symbol combination in the branching block "Special symbol combination or jackpot winning value reached ?" (49) has been reached (Fig. 5, 505, and 510, discloses receiving a payment from a player, which as best understood, activates game play);

determining if a game time has ended in a branching block "Game time ended ?" (39) at the active entertainment automat (see abstract, which discloses a final hand, which as best understood, a final hand determines if the game has ended);

presenting the winning amount on a display if the game time is determined to be ended (see abstract, which discloses payout based on a final hand). Gaming machines that allow poker game play is well known in the gaming art. Thus, the network of gaming machines of Gauselmann would have motivation to use video poker games of Walker in order to attract players that enjoy playing poker.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the gaming machine network of Gauselmann with the poker gaming machines of Walker in order to allow players to play poker in a network.

84, 85, 88, 89, 90, 93, 94, Gauselmann teaches the method according to claim 38, further comprising

actuating a power switch of each entertainment automat (1) (Fig. 2, 28, and col. 34-61, discloses a power amplifier);

initiating a network of entertainment automats associated with the operational block "Start of network" (49) (see Fig. 1, 1, 2a-d, 4, which discloses the automats connected in a network);

assuming of a master function by one of the entertainment automats (1) (col. 7, lines 13-18, discloses a gaming machine having a master function);

switching remaining entertainment automats (1) present in the network to a slave function (col. 7, lines 13-18, discloses gaming machines acting as slaves in a network);

coordinating of the entertainment automats (1) present in the network with respect to a collection of data through a counter state of a jackpot amount according to the master function (see abstract, col. 3, 59-67-col. 4, 1-10, and col. 4, lines 64-col. 5, line 5, which discloses a master machine monitoring jackpot amount and requesting data from slave machines);

releasing of a common special game, which takes place at all entertainment automats (1) present in the network at the same time (col. 2, 35-37, discloses an identical game sequence is started at the same time in all linked gambling machines);

randomly determining a symbol combination in the operational block "Base game with payment insertion" (50) in case of a sufficient credit balance state (col. 5, 34-47, explicitly discloses a symbol combination);

displaying the symbol combination in a symbol display device (2) (col. 5, 34-47, explicitly discloses a symbol combination);

transferring, an adjustable shared part amount of the game stake of each base game to a common jackpot counter associated with an operational block "Collecting the jackpot amount" (51) (col. 3, 59-67);

checking, a counter state of the common jackpot counter in the operational block "Collecting the jackpot amount" (51) following to a determination of the winning value in the base game (col. 3, 59-67-col. 4, 1-10);

sending a control signal from the master entertainment automat (1) associated with operational block "Jackpot game starts at all slaves" (53) to all other entertainment automats (1) present in the network if a predetermined jackpot counter state is reached or surpassed (col. 2, 35-37);

switching the slave entertainment automats (1) to a special game based on a control signal after termination of the base game (col. 2, 35-37);

monitoring in the operational block 'Wait till all slaves are ready" (54), if an okay signal was returned by all slave entertainment automats (1) (col. 2, 35-37);

starting a special game at the same time in all participating coin actuated entertainment automat (1) (col. 2, 35-37).

86, 87, 91, 92, 95, 96, 97, 98, Gauselmann teaches the method according to claim 85, further comprising

determining a game result of the symbol combination (col. 5, 34-47, explicitly discloses a symbol combination);

displaying a game result of the symbol combination in the operational block

"Actualize intermediate state" (44) (col. 5, 34-47, explicitly discloses displaying a symbol combination);

Walker discloses checking which operational element (3) was actuated in case of actuation of the operational element of entry block "Hand out key" or "Hold key" (41, 42) (Fig. 2, 125, discloses hold keys within a gaming machine);

displaying five next to each other disposed card symbols with the symbol display device (2) in case of actuation of an operational element according to entry block "Hand out key" (41), wherein the symbol storage comprises 20 card symbols, namely ten, Jack, Queen, King, and ace in each case in all four colors (as best understood, see abstract, which discloses replacing discarded cards with new cards);

redrawing cards not held by new cards randomly determined from the card storage in the operational block "Randomly drawing of not held card" (43) (see abstract, which discloses cards not held are discarded);

determining in the branching block "maximum winning value" (45), if the maximum winning value is displayed with the symbol display device (2);

performing a return from the branching block "maximum winning value" (45) to the branching block "Game time ended ?" (39) in case of a non-reaching of the maximum winning value, wherein the game time is checked in the branching block "Game time ended ?" (39). Gaming machines that allow poker game play is well known in the gaming art. Thus, the network of gaming machines of Gauselmann would have

motivation to use video poker games of Walker in order to attract players that enjoy playing poker.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the gaming machine network of Gauselmann with the poker gaming machines of Walker in order to allow players to play poker in a network.

***Response to Arguments***

16. Applicant's arguments filed 12/9/08 have been fully considered but they are not persuasive.
17. Regarding remarks made to claim 42, Gauselmann discloses triggering a progressive jackpot upon reaching a predetermined winning symbol combination (col. 1, 35-37), and Walker discloses randomly drawing cards in a game of draw poker and determining when the game of draw poker is over (see abstract). Thus, it would have been obvious to a person of ordinary skill in the art to combine the progressive jackpot of Gauselmann with the poker game of Walker in order to challenge players before rewarding a jackpot.

Regarding remarks made to claims 43-45, 47-49, in Walker after a player achieves a Royal Flush (see Fig. 1, 10), the player has the option to play another game or end game play at that time. In Walker after a final hand and corresponding awards have been presented to a player the gaming machine can determine if the game over (see abstract). Walker discloses hold and draw buttons in order to determine when to

hold cards and randomly draw new cards (see Fig. 4, 125A-125E, and 127), where the game of poker played at a gaming machine determines when a Royal Flush has been achieved (see Fig. 4, 405).

Regarding remarks to claim 46, Gauselmann discloses slave machines delivering game results to the master machine, where game results are based on an end of game (col. 4 64-67).

Regarding claims 50-53, in Gauselmann a predetermined number of games are required to be played in order to reach the predetermined jackpot trigger value, in this case, the jackpot is filled via a portion of each bet at a gaming machine (see col. 3, 59-67-col. 4, 1-10), therefore, a certain amount of games must be played before the jackpot trigger value is reached. The draw poker game of Walker teaches a player attempting to improve his/her poker hand.

#### *Conclusion*

18. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAMON PIERCE whose telephone number is (571)270-1997. The examiner can normally be reached on 8AM-4PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dmitry Suhol can be reached on 571-272-4430. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

20. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dmitry Suhol/  
Supervisory Patent Examiner, Art  
Unit 3714

DJP